IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 58 OF 2006

Nivrutti Barku Bahikar & Ors.. Petitioners.

Versus

The State of Maharashtra & Ors. Respondents.

Mr.R. L. Nerlekar for the Petitioners.

Ms. Jyoti Pawar, Addl. Government Pleader, for Respondent No.1.

Mr. C.J.Sawant, Sr. Advocate with Mr.V.C. Ghosalkar for Respondent No.2.

CORAM: H. S. BEDI, C.J., &
V. M. KANADE, J.

DATED: NOVEMBER 15, 2006.

P.C.:

The two main prayers made by the learned Counsel for the petitioners are :

(a) That investigation be ordered into the affairs and the financial irregularities committed

by the respondent board;

(b) That directions be issued to the State Government that the 244 persons, who have been illegally employed by the Board, should be removed from service;

2. We are informed by the learned Additional Government Pleader that the State Government has already appointed a one man committee of Mr. U. K. Mukhapadhyay to investigate into the affairs of the Board. We, accordingly, issue a direction that the Committee shall complete its investigation within a period of six months, from the receipt of a certified copy of this order. We also direct that the copy of the report would be supplied to the petitioners.

3. Mr. Sawant, the learned Senior Advocate, appearing for respondent no.2, informs us that the 244 employees, referred to above, have already approached the labour court for protection of their

employment and as such no orders can be made in the face of that litigation. We, accordingly, direct that the labour court shall hear and dispose of the said matters, as expeditiously as possible.

4. We make it clear that if the petitioners are aggrieved by any action taken hereinafter, they shall be at liberty to approach the appropriate forum for redress.

5. Petition stands disposed of, accordingly.

Sd/-

CHIEF JUSTICE

Sd/-

V.M.KANADE, J.